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UNCLAS SECTION 01 OF 02 KINSHASA 000736

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SUBJECT: Goma Report September 6 --
CNDP occupies Nyanzale

¶1. (SBU) Summary: CNDP continued northward September 6 and occupied Nyanzale with no resistance. MONUC's North Kivu brigade reacted with uncharacteristic firmness. CNDP has evacuated the FARDC's 7th brigade headquarters at Nyanzale and promised to evacuate the town within hours. End Summary.

¶2. (SBU) The North Kivu brigade briefed the international facilitation team September 6 on the principal event of the day, CNDP's occupation of Nyanzale and of the headquarters of the 7th brigade just north of the town. CNDP had moved up from Katsiru, which it had taken the previous day, with a small force of 60-70, who found the town and headquarters abandoned by the 7th brigade, which had fled further north to Kikuku. The North Kivu brigade (having a base at Nyanzale) entered immediate discussions with the commander of the CNDP force, Major Castro, emphasizing that any further movement northward by CNDP would be met by force by MONUC, that CNDP must remove itself immediately from the 7th brigade headquarters, and that it would have to leave the town within a few hours. The North Kivu brigade reinforced the point by sending in three BMP's and flying over the zone with two attack helicopters (soon to be reinforced by another two coming down from Bunia).

¶3. (SBU) Major Castro at first took the position that CNDP would hold its new positions until the FARDC withdrew from Ntamugenga and Mutabo in the Rutshuru sector. Then with the arrival of heavy equipment, Major Castro appeared to begin to take MONUC's threat more seriously and removed his forces from the 7th brigade headquarters. He said he would evacuate Nyanzale altogether, on the understanding that FARDC would not reoccupy the area for some days. General Rawat said that his plan would be to encircle CNDP in Nyanzale if it did not cooperate. He departed for on-site inspection. The facilitation team's assessment was that CNDP's objective in occupying Nyanzale (which had simply fallen into its hands) was more political than military, i.e., to put itself in a better bargaining position in forthcoming talks (if they occur).

¶4. (SBU) North Kivu brigade did not know the extent of population displacement at Nyanzale and Katsiru, but it had observed significant displacement out of the Kashuga area northwest of Mweso. The CNDP had apparently moved its forces out of Kashuga in order to pursue its attack on Katsiru, and the population had fled southeast into areas of continued CNDP control, fearing occupation of the zone by PARECO and FDLR, which did in fact happen immediately. (Note: The Hutu populace in that area appears to fear PARECO/FDLR more than CNDP.)

¶5. (SBU) At a subsequent meeting with General Etumba, General Mayala, Col. . Delphin, and other FARDC officers, Eastern Coordinator Alpha Sow said that MONUC had acted so firmly and quickly at Nyanzale because CNDP occupation of a FARDC brigade headquarters located far beyond the lines of conflict was an act of a different order from the intrusions into buffer zones by both

parties of the previous days. He characterized it as the most serious ceasefire violation since the Acte d'Engagement was signed in January. The present urgency, he said, was for both sides to return to positions held two weeks ago, including FARDC's oft-promised withdrawal from Ntamugenga and Mutabo. It was essential that the population stop harassing the North Kivu brigade. If, for example, the populace of Nyanzale had blocked MONUC there, it would not have been able to come to FARDC's aid. Sow noted that Nkunda had relayed an interest in speaking to SRSR Doss, a request that MONUC was examining, and that an important delegation was expected in Goma (note: specifically, National Assembly President Vitale Kammerhe, who was the most energetic leader of the Goma conference but had shunned Goma since).

16. (SBU) Etumba showed no particular gratitude for MONUC's action in Nyanzale. He called it a "new attitude" that regrettably MONUC had not displayed previously. Sow responded that it was not a new attitude, but an appropriate response to an egregious violation of the Acte d'Engagement by CNDP. Etumba rehashed his regret that the population of Rutshuru disliked MONUC so intensely, suggesting that MONUC had not done enough to clarify its mandate to the populace. However, he said he had instructed Mayala "to follow closely our elements on the ground never to be associated with provocation of the population." Col. Delphin hotly denied any such provocation. He asserted that the CNDP attack on Kanombe on August 28, with the "clear objective" of taking Rumangabo and cutting the Rutshuru road, had been the "cause" of the clashes ever since, and he expressed his dismay that CNDP was still in possession of Kanombe without a reaction from MONUC. As for FARDC's occupation of Mutabo and Ntamugenga, he said that it was essential that FARDC look to the defenses of Rutshuru and Kalengera, respectively, as was its

KINSHASA 00000736 002 OF 002

sovereign right. Sow responded that MONUC fully respected DRC's sovereignty, but DRC had signed the Acte d'Engagement and FARDC had agreed on certain buffer zones which it had now disrespected and was making it increasingly difficult for MONUC to carry out its role.

17. (SBU) Sow said that the facilitation team was in contact with CNDP in an effort to bring it around to the idea of direct talks at the MONUC-controlled air terminal, with the objective of returning forces to positions held two weeks ago. Etumba repeated his willingness "in principle" to participate in such talks, so long as CNDP fully retreated from Nyanzale, but his tone was skeptical and reluctant.

GARVELINK